IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

Crl.Rev.Pet.No. 609 of 2007()

STC.3495/2006 of JUDL.MAGISTRATE OF FIRST CLASS COURT-I, KANNUR

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REVN. PETITIONER:

M.K. AJITH,
S/O. M. BHASKARAN, AGED 36 YEARS,
NISHA NIVAS,
EDACHOVVA,
KANNUR.

BY ADV. SRI.B.RADHAKRISHNA PILLAI
SMT.S.AMBIKA DEVI
SRI.P.U.SHAILAJAN
SRI.R.JYOTHIKRISHNAN

RESPONDENTS:

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1. K.P. JEEVANLAL,
S/O. RAGHAVAN, AGED 37 YEARS,
KUNHI PARAMBIL HOUSE,
EDACHOVVA, KANNUR.

2. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. AMJAD ALI, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 14/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 609 OF 2007

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Dated this the 14th day of February 2007

O R D E R

The revision petitioner is the complainant against whom proceedings are initiated under section 138 of the Negotiable Instruments Act and the same was dismissed under section 204 (4) Cr.P.C. It is submitted that on account of the bonafide mistake the batta was not paid.

2. In the circumstances, the order of the court below is set aside. The court below is directed to permit the petitioner/complainant to further pursue the matter. The complainant shall appear before the court below on 27.02.2007.

The Crl. R.P. is allowed accordingly.

K.R. UDAYABHANU, JUDGE.

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